

ANNE ARUNDEL COUNTY

respectively; to repeal and re-enact, with amendments, Sections 13-307.1(2), 13-307.4 and 13-307.6(d) (2) of said Code, Title, Subtitle, Article and Heading, AND TO REPEAL SECTION 13-307.5(B) AND (C) OF SAID CODE, TITLE, SUBTITLE, ARTICLE AND HEADING; respectively to revise the zoning regulations for Cluster Development to define the general criteria, to permit townhouses and dwelling unit complexes by special exception in R5 - Residential Districts, to establish criteria for access to revise the permitted uses, to revise the criteria for lot size and to revise the requirements for rear yards in R5 - Residential Districts; and matters generally related thereto.

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND, That Section 13-307(b) of the Anne Arundel County Code (1967 Edition and Supplements), Title 13, "Planning and Zoning," Subtitle 3, "Alternate Zoning Regulations," Article III, "Residential Districts," Heading "Cluster Development" be, and it is hereby repealed, and new Sections 13-307(b) and (c) be, and they are hereby enacted in lieu thereof, to stand in the place of the section repealed, and to read as follows:

SECTION 13-307

(B) CLUSTER DEVELOPMENT SHALL BE PERMITTED IN RA, R1, R2 AND R5 - RESIDENTIAL DISTRICTS PROVIDED THE AREA TO BE DEVELOPED IS SERVED BY PUBLIC WATER AND PUBLIC SEWERAGE. IN RA, R1 AND R2 - RESIDENTIAL DISTRICTS, CLUSTER DEVELOPMENT SHALL BE PERMITTED ON LOTS CAPABLE OF BEING SERVED BY PRIVATE WELL AND SEPTIC SYSTEMS PROVIDED THE TYPE OF SERVICES AND PROPOSED MINIMUM LOT SIZE HAVE HEALTH DEPARTMENT APPROVAL. IN NO INSTANCE SHALL THE MINIMUM LOT SIZE BE LESS THAN THAT REQUIRED IN SECTION 13-307.4 FOR THE TYPE OF DWELLING AND THE DISTRICT WHEREIN LOCATED.

(C) OPEN SPACE REQUIRED BECAUSE OF LOT SIZE REDUCTION SHALL CONFORM TO THE PROVISIONS OF SECTION 13-125 THROUGH 13-125.2 OF THIS TITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That new Sections 13-307.1A and 13-307.8 be, and they are hereby added to said Code, Title, Subtitle, Article and Heading, and to follow immediately after Sections 13-307.1 and 13-307.7, respectively, and to read as